

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RHONDA MAFFEY	:	CASE NO. 1:11CV529
	:	
Plaintiff,	:	JUDGE BECKWITH
	:	MAGISTRATE JUDGE BOWMAN
v.	:	
	:	<u>STIPULATED PROTECTIVE</u>
CRACKER BARREL	:	<u>ORDER</u>
a/k/a CBOCS, Inc.	:	
a/k/a Cracker Barrel Old Country Store, Inc.	:	
	:	
	:	
Defendant.	:	

This Protective Order regarding discovery of any form whatsoever that concerns the information listed below is entered pursuant to Federal Rule of Civil Procedure 26(c). The Court hereby orders that such discovery should be subject to the following terms and conditions:

1. The Court hereby orders that such discovery, whether produced in response to a formal discovery request or pursuant to a disclosure authorization executed by a party, shall be subject to the following terms and conditions: (a) Plaintiff's medical and income records, and the information contained therein, (b) any personnel files, notes, letters, correspondence, memoranda, records, billing records, work papers, and other information referring or relating in any manner to any and all of Defendant CBOCS, Inc.'s current or former employees other than Plaintiff, and (c) any and all documents and/or information relating in any manner to Defendant's policies and procedures, business operations and/or financial data, shall not be

EXHIBIT A

shown to, furnished to, or otherwise disclosed to anyone other than the Court, Plaintiff, Defendant, prospective witnesses, counsel of record, and persons directly assisting counsel of record. For purposes of this Protective Order, the phrase “persons directly assisting counsel of record” means other persons employed in the counsel of record’s office and experts or outside consultants retained by counsel of record to assist in the preparation of their case. This Protective Order shall not apply to any documents or information that is in the possession of a party prior to disclosure in discovery, or is obtained by a party independently of discovery in this action.

2. Unless agreed in writing otherwise, the discovery provided pursuant to this Protective Order, and/or the data and information contained therein, if filed with the Court by a party as exhibits to depositions or as trial exhibits or as exhibits to a pleading, motion, memoranda, brief or other documents, shall be filed under seal and shall be accessible to the Court, the parties, and counsel of record.

3. Any and all copies of discovery provided pursuant to this Protective Order and/or the data and information contained therein, shall be returned to the producing counsel of record upon the completion of this case.

4. The discovery provided pursuant to this Protective Order and/or the data and information contained therein shall not be used by Defendant or its counsel for any purpose other than preparation and presentation of this case and shall not be used in any lawsuit, claim, or cause of action other than this case.

5. Any prospective witness or person directly assisting counsel of record to whom the discovery is provided pursuant to this Protective Order and/or the information contained therein, shall be shown a copy of this Protective Order and shall be subject to its terms. He or

she shall also acknowledge his or her understanding of the Order by signing a copy of the same in counsel's possession.

6. The parties acknowledge and understand that the Court retains its inherent right to alter the provisions of this Protective Order when the Court believes the interests of justice will be served by any such alteration. The parties further agree that they may apply to the Court for modification of the Order.

7. This Protective Order shall not prevent either party from presenting evidence, including any evidence covered by this Protective Order, at trial.

SO ORDERED,

Date: 2/23/2012

Stephanie K Bowman

SO STIPULATED:

/s/ Martin McHenry
Martin McHenry (0022543)
414 Walnut Street, Suite 910
Cincinnati, OH 45202
513-241-0441

Attorney for Plaintiff

/s/ Michael W. Hawkins by Martin McHenry
per authorization
Michael W. Hawkins
Elizabeth A. Simmons
Dinsmore & Shohl
255 E. Fifth St., Suite 1900
Cincinnati, OH 45202
513-977-8200

Attorneys for Defendant